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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,540	04/21/2004	Jun Fujimoto	403048/SOEI	3892
23548	7590	10/03/2006	EXAMINER	
LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960			PARKER, DAVID H	
			ART UNIT	PAPER NUMBER
			2877	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/828,540

Applicant(s)

FUJIMOTO ET AL.

Examiner

David H. Parker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20060929
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. Japan P2003-123008, filed on 04/25/2003.

### ***Specification***

The disclosure is objected to because of the following informalities:

Typographical errors (p. 4, line 6; p13, lines 10 and 17).

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13 rejected under 35 U.S.C. 102(e) as being anticipated by Voser (US 7,034,324).

As to claim 1, Voser discloses (Fig. 1): a first-side light emitting device (4) and a first-side light receiving device (6) disposed closely to each other on a first side of the object (2); a second-side light emitting device (4') and a second-side light receiving

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device (6') disposed closely to each other on a second side of the object (Fig.1, column 1 lines 22-24); and an emission controller (Fig. 4, 26) for controlling the first-side light emitting device and the second-side light emitting device to emit light at respective emission timings different from each other (column 5 lines 14-25), wherein the first-side light emitting device is disposed at an opposite position to the second-side light receiving device with the object in between (Figs. 1 and 2) , wherein the first-side light receiving device is disposed at an opposite position to the second-side light emitting device with the object in between (Figs. 1 and 2), and wherein composite detection is carried out to make the first-side light receiving device detect first-side reflected light emitted from the first-side light emitting device and reflected on the first side of the object and to make the second-side light receiving device detect transmitted light emitted from the first-side light emitting device and transmitted by the object and second-side reflected light emitted from the second-side light emitting device and reflected on the second side of the object, so as to detect the compositions of the both sides of the object (column 1 lines 22-24, column 3 lines 8-20).

As to claim 2, Voser discloses all as applied to claim 1 above; in addition wherein the first-side light emitting device and the second-side light emitting device are disposed so that light beams emitted from the respective devices are irradiated into a substantially identical neighborhood region of the object (Figs 1 and 2).

As to claim 3, Voser discloses all as applied to claim 1 above; in addition, wherein each of the first-side light emitting device and the second-side light emitting

device emits a plurality of light beams in mutually different wavelength bands (column 1 lines 11-15, column 4 lines 49-52).

As to claim 4, Voser discloses all as applied to claim 2 above; in addition, wherein each of the first-side light emitting device and the second-side light emitting device emits a plurality of light beams in mutually different wavelength bands (column 1 lines 11-15, column 4 lines 49-52).

As to claim 5, Voser discloses a first-side light emitting device (4) and a first-side light receiving device (6) disposed closely to each other on a first side of the object; a second-side light emitting device (4') and a second-side light receiving device (6') disposed closely to each other on a second side of the object (Fig. 1, column 1 lines 22-24); and an emission controller (Fig. 4, 26) for controlling the first-side light emitting device and the second-side light emitting device to emit light at their respective emission timings different from each other (column 5 lines 14-25), wherein the first-side light emitting device is disposed at an opposite position to the second-side light receiving device with the object in between (Figs. 1 and 2), wherein the first-side light receiving device is disposed at an opposite position to the second-side light emitting device with the object in between (Figs. 1 and 2), and wherein composite detection is carried out to make the first-side light receiving device detect first-side reflected light emitted from the first-side light emitting device and reflected on the first side of the object and to make the second-side light receiving device detect transmitted light emitted from the first-side light emitting device and transmitted by the object and second-side reflected light emitted from the second-side light emitting device and

reflected on the second side of the object (column 1 lines 22-24, column 3 lines 8-20), the validating machine comprising a determination validator (Fig. 4, column 3 lines 55-65) for validating the object, based on a result of the composite detection, in addition to the detecting machine.

As to claim 6, Voser discloses all as applied to claim 5 above; in addition wherein the detecting machine (Fig. 4, 30) outputs validation signals from the first-side light receiving device and from the second-side light receiving device (30, 26), the validating machine further comprising an operation determiner (26) for determining whether each of the validation signals outputted from the detecting machine is within a tolerance.

As to claim 7, Voser discloses all as applied to claim 6 above; in addition wherein the operation determiner (26) makes a determination on whether a first-side reflection validation signal outputted from the first-side light receiving device, a second-side transmission validation signal outputted from the second-side light receiving device receiving the transmitted light, and a second-side reflection validation signal outputted from the second-side light receiving device receiving the second-side reflected light are within their respective tolerances (column 3 lines 59-63), and wherein the determination validator validates the object (28, 32, 36), based on a result of the determination by the operation determiner.

As to claim 8, Voser discloses all as applied to claim 5 above; in addition wherein the first-side light emitting device and the second-side light emitting device in the detecting machine are disposed so that light beams emitted from the respective devices

are irradiated into a substantially identical neighborhood region of the object (Figs 1 and 2).

As to claim 9, Voser discloses all as applied to claim 6 above; in addition wherein the first-side light emitting device and the second-side light emitting device in the detecting machine are disposed so that light beams emitted from the respective devices are irradiated into a substantially identical neighborhood region of the object (Figs. 1 and 2).

As to claim 10, Voser discloses all as applied to claim 7 above; in addition wherein the first-side light emitting device and the second-side light emitting device in the detecting machine are disposed so that light beams emitted from the respective devices are irradiated into a substantially identical neighborhood region of the object (Figs. 1 and 2).

As to claim 11, Voser discloses all as applied to claim 5 above; in addition wherein each of the first-side light emitting device and the second-side light emitting device in the detecting machine emits a plurality of light beams in mutually different wavelength bands (column 1 lines 11-15, column 4 lines 49-52).

As to claim 12, Voser discloses all as applied to claim 6 above; in addition wherein each of the first-side light emitting device and the second-side light emitting device in the detecting machine emits a plurality of light beams in mutually different wavelength bands (column 1 lines 11-15, column 4 lines 49-52).

As to claim 13, Voser discloses all as applied to claim 7 above; in addition wherein each of the first-side light emitting device and the second-side light emitting device in the detecting machine emits a plurality of light beams in mutually different wavelength bands (column 1 lines 11-15, column 4 lines 49-52).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H. Parker whose telephone number is (571)272-7356. The examiner can normally be reached on 8:30am to 5:00pm (EDT) Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley can be reached on (571)272-2059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

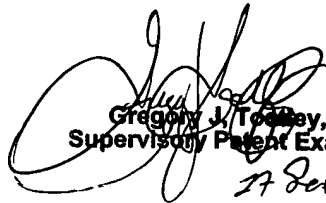


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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David H. Parker  
Patent Examiner  
Art Unit 2877  
September 21, 2006

  
Gregory J. Tooley, Jr.  
Supervisory Patent Examiner  
17 Sept 06